

AN
AUTHORITY
ON MINES AND
MINING.

The Oasis

THE
BEST WEEKLY
NEWSPAPER
IN ARIZONA.

SECOND SERIES,
Vol. V., No. 22

NOGALES, ARIZONA, SATURDAY, OCTOBER 7, 1905.

Whole No. 647.

IN DISTRICT COURT

NINE INDICTMENTS RETURNED BY GRAND JURY.

Compromise Effected in Important Tax Suit and Prospects of Settling Others.

Judge Fletcher M. Doan opened the October term of the district court for Santa Cruz county Monday morning and began work on an unusually large calendar.

The grand jurors for the term were selected and are: E. J. Pellegrin, foreman; C. W. Beck, H. B. Riggs, Frank Powers, R. R. Richardson, M. M. Trickey, W. H. Walker, Harry A. Smith, George W. Parker, W. E. Bowers, Harry Harmon, A. E. Crepin, Henry Pyeott, George Weiland, E. J. Holden, Allen T. Bird, A. L. Peck, A. Bachelier, Charles W. Smith, J. B. McClenahan and Joe Carbon. Allen T. Bird was elected secretary. Deputy Sheriff Frank M. Parker was appointed bailiff in charge of the jury.

INDICTMENTS RETURNED.

Nine indictments have been brought in by the grand jury and a number of charges ignored. Three indictments were found against Jasper S. Scrivner, for rape. Scrivner is the old man who was arrested at Oro Blanco early in the summer, on complaint of the mother of a young girl, whose age is said to be fifteen years. Trial set for Oct. 11.

A true bill was found against Octavio Chavolla. He is the man who was arrested for reckless riding on the streets a few weeks ago and after being taken to jail was recognized as the man who had sold a stolen mule to another Mexican. Set for trial Oct. 9.

Jose Jesus Acebeda, charged with assault with a deadly weapon was held for trial. He is charged with beating a Chinaman with a rock.

John Jobe, charged with horse stealing was indicted and afterwards furnished a bond of \$500 to appear for trial. He is alleged to have stolen a horse in the fall of 1903. His bondsmen are Peter Bergier and W. E. Bower. Case continued for term.

W. H. Symons, against whom a true bill was returned on a charge of rape, is the man who was arrested for impersonating an officer. Set for trial Oct. 10.

Romaldo Delsi and Adolfo Delsi, father and son, were included in one indictment for cattle stealing. Set for trial Oct. 13.

Antonio Ramos, the last one of the bunch to be indicted, will also stand trial for cattle stealing. Set for trial Oct. 9.

TAX SUIT SETTLED.

Many of the tax cases instituted by the county treasurer against delinquent tax payers will probably be settled out of court. The most

important of the lot has already been compromised, but has not been dismissed. It has been continued for the term, pending settlement according to the terms agreed upon. The case referred to is that of the Territory against Robert Perrin. The suit was for taxes for the last six years, a total of \$5,800, including interest. A compromise was effected by the county knocking off the taxes for two years, 1899 and 1900, the claim being made by the defendants that they were not in possession of the land during those two years. The land, the San Ignacio del Barbacomori grant, was bought by the Perrins from the original owners, to whom it had been granted by the state of Sonora before the territory was acquired by the United States. Being settled upon by homesteaders afterward, the United States land office decided in favor of the settlers in 1899. In 1902 the supreme court of the United States reversed the land office, holding that Perrin was the rightful owner of the land. It was for the two years intervening between the two decisions that the Perrins refused to pay the tax, on the ground that the land office had deprived them of the land for those two years. The total amount to be paid by the owners in taxes is \$4,900. Of that, \$2,500 will be paid on or before October 20, 1905 and the balance on or before April 20, 1906.

DIVORCE ON CROSS COMPLAINT.

Wednesday evening Judge Doan granted a decree of divorce to Mrs. Oscar Gebler, on a cross complaint filed by attorney S. F. Noon for Mrs. Gebler Wednesday afternoon.

Gebler had filed suit for divorce against his wife two weeks ago, alleging habitual drunkenness. At the time the allegations made occasioned not a little talk and considerable surprise, as the lady has been a resident of Nogales for a number of years and is generally respected by all who know her.

In her cross complaint, Mrs. Gebler entered a general denial of the charges made by her husband and asked for divorce on the ground that her husband was an habitual drunkard. Her allegations being sustained she was granted divorce and attorney fee and the costs of the suit were entered against Gebler.

OTHER CASES SET.

O. K. Franklin, administrator of the estate of Jerry Neville, vs. M. M. Trickey, administrator of the estate of N. H. Chapin. Set for trial Saturday, Oct. 14.

Mrs. F. L. Butterfield and Chas. Dougherty vs. The Nogales Copper Co., and others. Monday, Oct. 16.

O. K. Franklin, administrator, vs. M. M. Trickey, administrator. Dismissed on motion of plaintiff.

W. A. Bonyne vs. John Dessart, et al. Set for trial Thursday, Oct. 15.

Frank Powers vs. Thomas Turner. By agreement judgment was entered for plaintiff, without costs.

Frederick S. Nave vs. W. F.

WANTS LAW TESTED

BELIEVES IT GIVES ONE MAN TOO MUCH POWER.

County Treasurer Would Like to See Contest in Order to Get Court Decision.

It is the opinion of County Treasurer Con O'Keefe that paragraph 3896 of section 66, Revised Statutes of Arizona, relating to the collection of taxes, confers upon county treasurers more arbitrary power than one man in such a position should have. Recently Mr. O'Keefe received a letter from the territorial auditor instructing him to place upon the Santa Cruz county tax roll, when it should be turned over to him, all personal property in the county which had been omitted by the assessor, and collect taxes thereon. The letter referred the treasurer to the paragraph mentioned.

Paragraph 3896 says: "When the tax collector of any county, after the duplicate assessment roll is committed to him, ascertains that any real estate, horses, mules, asses, cattle, sheep, goats, swine or other personal property then in his county are omitted from the tax list, and has reason to believe that such personal property has not been taxed in any other county, he shall forthwith proceed to list, value and assess such property in the same manner as the assessor might have done and shall enter such assessment in his tax book. * * *"

As the tax roll when turned over to the collector has already passed through the hands of the board of equalization and the work of the regular assessor has been reviewed and corrected so far as may be necessary, any additions made thereto by the treasurer must stand unless contested and nullified by the court. In cases of small amounts the payment of the tax might be less burdensome than the trouble of contesting, and still might be unreasonable. Mr. O'Keefe is of the opinion that it is a "one man power" law that should be tested and for that reason has added to the tax roll in his possession only personal property of the members of the Santa Cruz County board of equalization, in the hope that one or all of them will contest the action and that the validity of the law will be passed upon in court. If those whom he has taxed under the power given by Paragraph 3896 do not object to the payment of their assessments, he will add others to the list later on.

Bought the Stock.

Wednesday Mr. Louis B. Fleischer, of the Boston stores (at Cananea, Guaymas and Nogales, Arizona) bought the extensive stock of La Moda, in Nogales, Sonora—all that part including

gents' furnishing goods of all kinds, viz: Fine French clothing in the latest and most elegant styles; hats and caps, boots and shoes; underwear, hosiery, gloves, neckties, handkerchiefs, umbrellas, etc., etc. The stock is one of the largest and most complete that was ever imported into Sonora, and it is an extensive and perfect establishment of itself.

Mr. Fleischer will establish in Nogales, Sonora, a large wholesale house which will be the fourth in his chain of elegant and extensive haberdashery emporiums. Louis is one of the most progressive and enterprising business men along the border, and his widely extended and rapidly growing trade attests his enterprise and progressiveness.

Repeated by Request.

By request of many prominent citizens Mrs. Ernestine Lulley, the piano wonder, repeated her phenomenal performance, noted in THE OASIS last week, at the Nogales opera house yesterday evening. The audience was large, (including many of the court visitors) and very enthusiastic. Her execution of the extensive and varied list of instrumental pieces, including 335 different piano solos, was pronounced by all to be marvelous and wonderful. All were gems of classic and popular music, finely executed, and produced at call without any hesitation upon the part of the performer. It included the popular and national airs of all countries, American, English, French, Spanish, Italian, German, Hungarian, Polish, Russian, Mexican and many more, with choice selections of operatic and sacred music. It was surely a wonder, and equalled, if not exceeded, the marvelous performances of that far famed musical prodigy of a quarter of a century ago—Blind Tom.

Mrs. Aurelio Sandoval Dead.

Mrs. Geronima Parodi de Sandoval, wife of Mr. Aurelio Sandoval, died in Los Angeles Thursday. Mr. and Mrs. Sandoval, were for many years residents of Nogales, Sonora, leaving here in June of last year for California. Mr. Sandoval is a brother of Mr. P. Sandoval of Nogales. The lady leaves to mourn her, besides the husband, two young daughters, one twelve years old and one fourteen years. The news of Mrs. Sandoval's death was received by telegraph Thursday and caused much grief in both towns, where she was so well known and highly esteemed by all.

Nogales Town Council.

The Nogales town council, at the regular monthly meeting held Monday night, extended the time for paying town taxes thirty days. Instead of being delinquent after October 5, they will not be delinquent till November 5. At the same meeting the matter of erecting a grand stand in the city park was discussed, but there being no funds on hand the council was compelled to let the matter go over.